



02/13/03

1051

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: LINDA S. POWERS and CHRISTOPHER R. LLOYD
SERIAL NO.: 10 054,419
FILED: January 22, 2002
FOR: METHOD AND APPARATUS FOR DETECTING THE PRESENCE OF
MICROBES AND DETERMINING THEIR PHYSIOLOGICAL STATUS
GROUP ART UNIT: 1651
EXAMINER: LYNDA T. GUO

ELECTION OF SPECIES

Commissioner of Patents and Trademarks
Box Non Fee Amendment
Washington, D.C. 20231

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TECH CENTER 1600 2900

Sir:

Responsive to the Examiner's request for an election of species, mailed February 24,

2003, Applicants respond as follows:

Applicants elect Invention I - Claims 1-13, 15, 17-27 of Group I drawn to a method for the detection of microbes or toxins, classified in class 435, subclass 34.

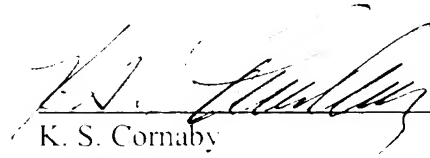
Applicants further elect Group A: Species of the target detected in the claimed method:

(1) viable microbes, (2) non-viable microbes, or (3) toxins.

The above elections are made with traverse.

Should the Examiner require further clarification, he is requested to contact Applicants' undersigned attorney collect at (801) 521-3200.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "K. S. Cornaby", is written over a horizontal line.

K. S. Cornaby
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CERTIFICATE OF SERVICE

I certify that this correspondence is being deposited with the United States Postal Service as Express Mail EV 057527616 US in an envelope addressed to Commissioner of Patents and Trademarks, Box Non Fee Amendment, Washington, D.C. 20231 on February ^{11th} 2003.

Roberta M. Kelly
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